

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES,
Plaintiff

vs

DAHIR NOR IBRAHIM,
Defendant

Case No. 3:10-00260-15

Hon. Haynes

MOTION TO RECONSIDER

DEFENDANT'S MOTION TO BE EXCUSED FROM DEPOSITION OF GRAY
GOOSE

Counsel and defendants have been ordered to attend the scheduled deposition of "Grey Goose", a/k/a Abdullahi Farah, on September 12, 2012 at 1:00 p.m. (D.E. 2759) This Court issued an order on September 6, 2012 that "[a]ll matters directly impacting the witness [Farrar] are to be filed with Judge Campbell as ordered. **The motions affecting directly other defendants' presence are decided by this member of the Court.**" (D.E. 2757, emphasis added.) Accordingly, several defendants filed motions to be excused from the deposition of Farrar. See, e.g., D.E. 2756, 2762, and Defendant Ibrahim's motion, D.E. 2765 (filed on September 7). Notwithstanding Order No. 2757 that this Court would decide all matters affecting directly the presence of other defendants at the scheduled deposition, Defendant Ibrahim's motion to be excused was denied on September 11. (D.E. 2777) That order stated that the motion "to excuse presence at the deposition of Abdullahi Farah by [Defendant] Dahir Nor Ibrahim ... [2765] ... [is] DENIED. Defendants must refile these motions in USA v. Farah, 3:12-cr-00085, for Judge Campbell's consideration." This order directly contradicts order D.E. 2757 without vacating order D.E. 2757. Defendant attempted to refile his motion to be excused in Case No. 3:12-00085 but ECF does not allow a non-party to file motions. Defendant Ibrahim is NOT a party in Case No. 3:12-00085. Other defendants who also sought to be excused and whose motions were likewise denied and redirected to the other case are undoubtedly facing the same